

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)

FRIDAY, THE NINETH DAY OF MAY
TWO THOUSAND AND TWENTY FIVE

:PRESENT:

THE HONOURABLE SRI JUSTICE GANNAMANENI RAMAKRISHNA PRASAD
WRIT PETITION NO: 11173 OF 2025

Between:

1. Sri Sri Sri Mookambika Educational Society, Vaagdevi Institute of Technology Science Represented by its Secretary Correspondent Gopavaram Hussain Reddy, S/o. Prajapathi Reddy, aged 59 years, Peddasettipally, Proddatur, YSR Kadapa District.
2. Bharat Educational Society, (Golden Valley Integrated Campus), Represented by its Secretary, Neerugatti Venkataramana Reddy S/o Neerugatti Ramakrishna Reddy, Aged 55 years, Kadiri Road, Angallu, Madanapalle, Annamayya District.
3. KM M Educational Society, (KMM Institute of Technology Science) Represented by its Secretary
4. Bheema Educational Society, Represented by its Secretary S/o. P.N. Raja Sekhar Reddy, Aged 46 years, Adoni, Kurnool District. P.N. Vishnuvardhan Reddy,
5. Damisetty Srinivasa Naidu Educational Society (DBS Institute of Technology), Represented by its Correspondent Damisetty Sudheer Naidu S/o. Srinivasa Naidu, aged 63 years, Kavali, SPSR Nellore District.

...Petitioners

AND

1. The State of Andhra Pradesh, Represented by its Principal Secretary, Higher Education Department, Secretariat Buildings, Velagapudi, Thullur Mandal, Amaravati, Guntur District.

2. The Andhra Pradesh Higher Education Regulatory and Monitoring Commission, Represented by its Member Secretary, 3rd Floor, Sree Mahendra Enclave, NRI Block, C-Block, NH15, Tadepalli, Guntur District.
3. Jawaharlal Nehru Technological University, Ananthapur, (JNTUA) Ananthapuramu District, Rep by its Registrar.
4. The Director, Academic Audit, Jawaharlal Nehru Technological University, Ananthapur, (JNTUA) Ananthapuramu District.
5. The Controller of Examinations, Jawaharlal Nehru Technological University, Ananthapur, (JNTUA) Ananthapuramu District.

...Respondents

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue an appropriate Writ more in the nature of Writ of MANDAMUS declaring the action of the Respondent 5 University in insisting the Petitioners (Colleges) to pay the Common Services Fees for Grant of Temporary/Permanent/Renewal of Permanent Affiliation for the Academic year 2025-2026 and for issuing Examination Material vide Emails dated 18-03-2025 and 23-04-2025 without any authority or basis or any proceedings as being illegal, arbitrary and violative of Articles 14 and 19(1)(g) of the Constitution of India and contrary to the Andhra Pradesh Higher Education Regulatory and Monitoring Commission Act, 2019 (for short the Act), the Andhra Pradesh Higher Education Regulatory and Monitoring Commission Rules, 2019 (for short the Rules) in insisting to pay the Common Services Fees for Grant of Temporary/Permanent/Renewal of Permanent Affiliation for the academic year 2025-2026 and for collecting examination material by sending emails to the Petitioners institutions as being illegal, arbitrary and violative of Articles 14 and 19(1)(g) of the Constitution of India and the Andhra Pradesh Educational Institutions (Regulation of Admissions and Prohibition of Capitation Fee) Act, 1983, the Andhra Pradesh Higher Education Regulatory and Monitoring Commission Act, 2019 and the Andhra Pradesh Higher

Education Regulatory and Monitoring Commission Rules, 2019 and consequently direct the Respondent University not to insist for any amounts towards the alleged University Common Services Fees etc., unless prescribed in accordance with the law.

IA NO: 1 OF 2025

Petition under Section 151 of CPC is filed praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the Respondent University to forthwith grant Affiliation to the Petitioners Colleges by sending fact finding Committee and so also issue examination material to the Petitioners without insisting for any Common Services Fees demanded vide Emails dated 18.03.2025 and 23.04.2025 without any authority or basis or any proceedings, Pending disposal of WP 11173 of 2025, on the file of the High Court.

The Petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and the earlier order of the High Court dated 30.04.2025, made herein and upon hearing the arguments of SRI M R K CHAKRAVARTHY Advocate for the Petitioners, and of GP FOR HIGHER EDUCATION, for the Respondent No.1, and of SRI VIVEKANANDA VIRUPAKSHA, Standing Counsel for the Respondent No.2, and of SRI I.MADHU BABU, Standing Counsel for the Respondent No.3, the Court made the following

ORDER:

Heard Sri M.R.K. Chakravarthy, learned Counsel for the Writ Petitioners; Sri K. Ram Babu, learned Counsel appearing on behalf of Sri Sri Vijay Mathukumilli, learned Counsel for Writ Petitioner/s in W.P.No.13201 of 2025; Sri N. Ashwani Kumar, learned Standing Counsel

for JNTU and Kakinada and Sri Vivekananda Virupaksha, learned Standing Counsel for APHERMC.

2. It is clarified in all these matters, the Interim Order passed by this Court shall only be confined to the University Common Services Fee but shall not be applicable to any other Fee under any other Head. Insofar as Common Services Fee is concerned, the same shall be subject to the final result in the present Writ Petitions.

3. Insofar as the issue of Affiliation Fee raised by the Writ Petitioner in W.P.No.11106 of 2025 is concerned, it is noticed that this aspect has not been dealt with by this Court earlier, and therefore, it requires consideration. Therefore, the Writ Petitioner would do well in paying the concerned Fee to the University, subject to the final result in the Writ Petition.

4. Let Counter Affidavit be filed within four weeks. Two weeks thereafter for filing Rejoinder, if any.

5. Tag W.P.No.10633 of 2024 along with these batch of matters and list on 12.08.2025.

Sd/- U. SRI DEVI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

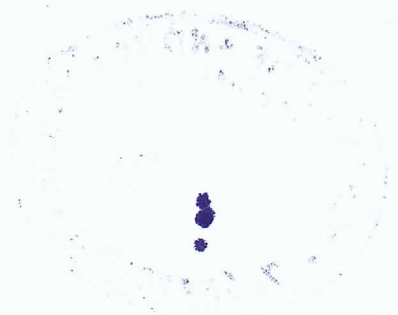
For

To,

1. The Principal Secretary, Higher Education Department, State of Andhra Pradesh, Secretariat Buildings, Velagapudi, Thullur Mandal, Amaravati, Guntur District. **(by Special Messenger)**
2. The Member Secretary, Andhra Pradesh Higher Education Regulatory and Monitoring Commission, 3rd Floor, Sree Mahendra Enclave, NRI Block, C-Block, NH15, Tadepalli, Guntur District.

3. The Registrar, Jawaharlal Nehru Technological University, Ananthapur, (JNTUA) Ananthapuramu District.
4. The Director, Academic Audit, Jawaharlal Nehru Technological University, Ananthapur, (JNTUA) Ananthapuramu District.
5. The Controller of Examinations, Jawaharlal Nehru Technological University, Ananthapur, (JNTUA) Ananthapuramu District. **(Addressees 2 to 5 by RPAD)**
6. One CC to SRI. M R K CHAKRAVARTHY Advocate [OPUC]
7. Two CCs to GP FOR HIGHER EDUCATION ,High Court of Andhra Pradesh. [OUT]
8. One CC to SRI VIVEKANANDA VIRUPAKSHA, Standing Counsel [OPUC]
9. One CC to SRI I.MADHU BABU, Standing Counsel [OPUC]
- 10. One spare copy**

PSR



HIGH COURT

GRKP,J

DATED:09.05.2025

NOTE: Tag W.P.No.10633 of 2024 along with these batch of matters and list on 12.08.2025.

ORDER

WP.No.11173 of 2025

INTERIM DIRECTION

